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THE ALASKA BOUNDARY.

SPEECH

OF

HON. WATSON C. SQUIRE,
OF WASHINGTON,

IN THE

SENATE OF THE UNITED STATES,

JANUARY 3, 1896.

WASHINGTON.
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SPEECH
OF
HON. WATSON C. SQUIRE.

The Senate having under consideration the joint resolution (S. R. 39) making an appropriation to defray the joint expenses of locating the boundary line between the Territory of Alaska and the British North American territory.

THE ALASKAN BOUNDARY.

Mr. SQUIRE said:

Mr. PRESIDENT: I introduce a joint resolution and ask that it be read at length.

The joint resolution (S. R. 39) making an appropriation to defray the joint expense of locating the boundary line between the Territory of Alaska and the British North American territory was read the first time by its title and the second time at length, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That in view of the expediency of forthwith negotiating a convention with Great Britain for marking convenient points upon the one hundred and forty-first meridian of west longitude where it forms, under existing treaty provisions, the boundary line between the Territory of Alaska and the British North American territory, and to enable the President to execute the provisions of such convention without delay, when concluded, the sum of \$75,000, or so much thereof as may be necessary, be, and the same is hereby, appropriated out of any moneys in the Treasury not otherwise appropriated, to be immediately available, under the direction of the President, to defray the share of the United States in the joint expense of locating said meridian and marking said boundary by an international commission.

Mr. SQUIRE. Mr. President, I will state in explanation of the joint resolution that the people of the Pacific Coast desire a speedy settlement of the boundary question in Alaska. I have had representations made to me on that subject of the most urgent character. People whose homes are in the State of Washington are engaged in mining in the Territory of Alaska. They are engaged in transporting supplies for their subsistence while conducting their operations in mining. Others are engaged in trading as merchants between the ports on Puget Sound and the ports of Alaska.

From a report published by the Coast Survey in 1893 I quote the following extracts, as showing the extent and importance of this great Territory:

It is regrettable that our sources of information for late Alaskan statistics are confined to the brief summaries of the governor's reports, and that for a comprehensive study of all the wealth-producing industries of the Territory we have to go to the publications of the census for 1890.

The extraordinary growth of this but partially explored Territory, with its valuable resources on land and the almost limitless wealth in its waters, demands greater attention than has heretofore been accorded it, and makes imperative that general and comprehensive aids to its navigation and commerce be supplied.

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This vast region contains about 600,000 square miles, being about twelve and a half times the area of the State of New York. It has approximately 26,000 miles of shore line, which exceeds that of the Atlantic, Pacific, and Gulf coasts of the United States by over 11,200 miles, while the islands along its coast are estimated to be 1,100 in number. A course parallel with the trend of its shore from Cape Muzon, its most southerly point, to Point Barrow, its most northerly one, is about 2,800 miles. The Aleutian chain of islands is about 1,100 miles long, and Attu, the most westerly one of this group, is about 2,200 miles west of Sitka.

There are immense forests in Alaska, densely covering every part of the country and climbing steep mountain sides to heights of 2,000 and 2,500 feet above sea level, and which extend as far west as Kadiak Island, being a continuous stretch of a thousand miles.

They consist mainly of spruce, hemlock, and cedar, one variety of the latter, the yellow, being very valuable in the construction of small vessels on account of its durable qualities.

The commerce of Alaska is and doubtless always will be carried on by water, owing to the peculiar formation of the country; and being so varied and largely conducted by nonresidents and by vessels hailing from so many different ports, it is difficult to obtain an exact idea of its extent. The internal commerce is carried on through about 126 agencies, located in 104 towns and settlements, situated along its coast and among its islands.

The exports consist mainly of furs, ivory, Indian curios, gold and silver bullion and ore, and the products of the whale, cod, and salmon fisheries.

During the earlier occupancy of the country its commerce depended almost exclusively on the fur trade, but since other industries dependent upon the actual necessities of man sprang up this important factor, although of great value, has already fallen to a third place in importance. From 1868 to 1891 the total value of the furs exported is estimated at \$50,124,500, and the annual yield for the last-mentioned year amounted to about \$1,605,000.

In 1892 there were sixteen gold and silver mines in operation, and up to that date the total output amounted to about \$8,000,000. The traffic dependent upon the necessities of the small army already engaged in this comparatively new enterprise is considerable and will undoubtedly increase.

The salmon industry commenced in 1878, and from that date up to 1890 the pack had amounted to \$9,612,000. In 1878 the entire product was valued at \$59,416, while that of 1890 was \$2,731,000. The salmon-canning industry of this country is confined to the waters of California, Oregon, Washington, and Alaska. In years past the Columbia River has been the principal source of supply, but the run in all the sections south of British Columbia has become smaller from year to year. In the year 1887 the total pack for the entire Pacific Coast was 900,200 cases, of which the Columbia River furnished 430,000. In 1890 the output of the western coast was about 1,223,955 cases, of which Alaska alone furnished 688,322, or more than half the entire product of the United States. The capital invested in the Alaska salmon fisheries including permanent improvements, vessels, etc., is something more than \$4,000,000. There were, in 1890, 37 canneries between Dixon Entrance and Bristol Bay, 25 of which are west of Sitka, and about 6,000 persons were employed during the fishing season, using 60 vessels for the purpose.

Judging from the rate of increase during the past ten years and the enormous field yet to be developed, the commerce depending upon this single industry will be one of the most notable interests of the Pacific Coast. Three-fourths of it is now beyond the region reconnoitered, and is rapidly crowding northward into uncharted localities enormously rich in fish. It is interesting to note that the two newer industries, mining and salmon fishing, have grown so rapidly that while in 1880 both these industries were insignificant and completely overshadowed by the fur trade, by 1890 their products amounted in value to \$15,000,000, or more than twice the purchase price of the Territory.

The Pacific and Arctic whaling catch, though not confined strictly to Alaskan waters, is conducted by American vessels, and all but a very small percentage of it is secured in waters contiguous to the Alaskan coast. The total value of oil, bone, and ivory of the catch between 1874 and 1890 was \$11,204,465. There are about fifty vessels engaged in this industry, their port of call being Port Clarence. The charts of the tracks and rendezvous of these vessels are simply compilations of early explorations and are very crude and inaccurate.

Of the food fish of Alaska the cod-fish stand next in commercial importance to the salmon. The eastern part of Bering Sea is a great reservoir of cod, and the area within the limits of 50 fathoms depth is no less than 18,000 square miles. In this sea fishing must be done as it is off Newfoundland, without harbors of refuge, but in a much less depth of water. The fishing banks along the south shores of the Aleutian chain will add about 45,000 more square miles, making a total of 63,000 square miles, this being about four times the

area of the banks in the region of Newfoundland. Though over twenty years have elapsed since the inception of this industry, it must still be considered in its infancy. The value of the catch during the last twenty-seven years has amounted to about \$8,900,000. It is carried on without regard to the abundant supply, but solely in accordance with the demands of the local and limited market on the Pacific coast of America.

It is evident, with the numerous transcontinental railways and with the increasing population along their lines and growing tributaries, that the demand will constantly and permanently increase, so that this interest will alone crowd the waters of the Gulf of Alaska and Bering Sea with sails.

In this report too much stress is not laid on the importance of the fishing industry alone, and this will be appreciated if we reflect that a great historical fact has been epitomized in the statement that "Amsterdam is built on herring bones."

Sundry questions have arisen to cause grave solicitude and anxiety on the subject of the boundary line. It has even been intimated to me that there is a strong probability that some conflict or strife may take place between the miners I have referred to or the others who are engaged in taking in supplies and those who would collect duties from them on the frontier.

Mr. President, I believe that this question is an important one; even more important, perhaps, than the decision of the Venezuelan boundary, because this question relates to the boundaries of our own country. It relates to peace between our own citizens and the citizens of the adjoining British Possessions. In my judgment, it is the duty of this Congress to facilitate in every proper way the adjustment of the question relating to this boundary line.

It may be appropriate to give here a brief sketch of the history of the boundary survey. In 1872 General Grant, then President of the United States, anticipating that a postponement of the definite marking of the boundary might involve future disputes, recommended in his annual message the creation of a commission for settling the boundary line. But the matter was allowed to drop, and nothing was done until President Cleveland, about fifteen years later, again brought the subject forward by a reference to it in his message.

In 1887 the Department of State inserted an item of \$100,000 in the estimates for a preliminary survey of the boundary, but on this item no action was taken.

In 1888, however, an appropriation of \$20,000 was made for a preliminary survey, to be conducted by the Coast and Geodetic Survey in accordance with projects to be approved by the Secretary of State. Under this act two parties were organized in the spring of 1889 to ascend the Yukon and its affluent, the Porcupine, to determine by astronomical observations the intersection of the one hundred and forty-first meridian with these rivers. The party on the Porcupine accomplished its purpose during the following winter, while the party on the Yukon was compelled by adverse circumstances to spend two winters there.

Small appropriations were annually made under the same wording as the act of October 2, 1888, referred to above, until the year 1892, when a convention was concluded at Washington, on July 22, 1892, for conducting a coincident or joint survey "with a view to the ascertainment of the facts and data necessary to the permanent delimitation of said boundary line," that is, from latitude 54° 40' north to the point where it encounters the one hundred and forty-first meridian west of Greenwich.

Under this convention commissioners were appointed by the Governments of the United States and Great Britain, respectively.

It was prescribed that the commissioners should complete their duties within two years from the date of their first meeting, but as this was found impracticable the time was extended to December 31, 1895, by supplementary convention of February 3, 1894.

The total amount appropriated under this convention was \$80,000, and the surveys were conducted on behalf of the United States under the direction of the Superintendents of the Coast and Geodetic Survey.

The Alaskan boundary is conveniently divisible into two sections: The first where it follows the contour of the coast from the southernmost point of Prince of Wales Island until it strikes the one hundred and forty-first meridian at or near the summit of Mount St. Elias; the second where it is formed by the one hundred and forty-first meridian, which it follows from that intersecting point to the frozen ocean.

The determination of the exact limits of the first coastwise section is in progress, or has been in progress until recently, through a preliminary survey by American and British expeditions acting separately or coincidentally, as convenience might dictate, under the provisions of the convention of July 22, 1892, and the supplementary convention of February 3, 1894, between the United States and Great Britain. The object of this preliminary survey has been to obtain for the information of their respective Governments affirmative data from which they may by conventional agreement determine the true boundary described in the Anglo-Russian treaty of 1825, and redescribed in the first article of the treaty between the United States and Russia of March, 1867, whereby the Russian territory of Alaska was ceded to this country.

As before stated, this preliminary examination had been taking place until the 31st day of December, 1895, to which date it was extended by supplementary convention of February 3, 1894. It seems that, referring to the President's message, a further extension of time will be necessary, as well as an additional appropriation for the completion of this work.

It has been erroneously stated in the public prints, as I am informed upon good authority, that some agreement has been signed by the respective commissioners in the past few days. This seems to be a misapprehension. These commissioners were not created for the purpose of coming to any agreement. They had no power relative to coming to any such agreement so as to bind their Governments. They were simply to examine and report for the information of their respective Governments, and to furnish the necessary data to afford the basis for a treaty between the United States and Great Britain relative to the southeastern boundary of Alaska. I doubt not there should be an appropriation for the continuation of the work of the commission, and I believe it is expected that the present commission will be continued by a convention between the two Governments extending the term of its existence and its labors.

As the Alaskan coast is steadily becoming settled and an extensive development of interests of great magnitude is taking place, it seems needful that provision be made for the settlement of both these boundary questions. The second question, and the one to which the joint resolution refers more particularly, is in relation to the one hundred and forty-first meridian. It seems as to this

that all the preliminaries are completed, so that a conventional agreement can now be made between the United States and Great Britain. The theoretical existence of this boundary on the one hundred and forty-first meridian is an undoubted fact, and is not at all in question, but the physical location of the boundary line remains to be established. I am informed by those who have given this subject great attention that the ascertainment of a given meridian at any given point is a work depending upon the precision of the scientific instruments employed and the accuracy of the astronomical and geodetic observation, so that it needs much time and care to reduce the remaining amount of error to so small a degree that it will be practically immaterial and of no consequence. Such observations and surveys were undertaken by the United States Coast and Geodetic Survey in 1890 and 1891, and the points where the one hundred and forty-first meridian crosses the Yukon River, also where it intersects Forty Mile Creek, and again where it passes by the summit of Mount St. Elias, have been marked with some degree of accuracy. Similar surveys in some quarters under British auspices are believed to give nearly coincident results. I am informed that there is a difference of perhaps not more than 450 feet between the location by the respective Governments on the Yukon River where that is intersected by the one hundred and forty-first meridian, and that there is but a slight difference at the intersection of the meridian with what is known as Forty Mile Creek, where active mining operations are conducted.

It seems to be practicable to reach an agreement along this line, inasmuch as the difference is so slight. These surveys by the respective Governments have been independently conducted, and no international agreement has yet been made to mark those or any other parts of the one hundred and forty-first meridian by permanent monuments.

The going in of the miners and the development of the country has been such that the valley of the Yukon is becoming a highway through the hitherto unexplored wilds of Alaska. This region has great mineral resources recently discovered, especially at or near the junction of the boundary meridian with the Yukon and its tributaries. What is known as the Porcupine River is another of the tributaries upon which surveys have been made. The outposts of civilization and enterprise are springing up, and under these circumstances it seems exceedingly important, and, indeed, necessary that the jurisdictional limits of the respective Governments in this new region should be determined. It is understood that Her Britannic Majesty's Government has already proposed a joint delimitation of the one hundred and forty-first meridian by an international commission of experts, and if Congress should create this commission, and make provision therefor, the necessary result can be accomplished with no unreasonable delay by means of the convention which is contemplated to that end.

I fear that there has been at times a degree of indistinctness in the conception of my fellow-citizens in regard to the Alaskan boundary question. There has been a mixing of the two separate and distinct questions, the one relating to the one hundred and forty-first meridian and the other relating to the line starting from the southernmost end of Prince of Wales Island and following along

the contour of the coast (I mean the mainland), at a distance of not more than 80 geographical miles from the ocean. There has been a degree of uncertainty and confusion in the public mind on this subject—a commingling of the questions. They are easily separated. The question that is dealt with in the joint resolution I have introduced this morning relates solely to the boundary line along the one hundred and forty-first meridian. As to the other question, I understand that the examination which has been made by the commission in reference to southeastern Alaska is purely preliminary and relates principally to the character and description of the region.

The people of the city in which I reside have recently forwarded to me a very carefully prepared report, going into the history of this whole Alaskan boundary question. It shows the interest of my people in this question. It has been prepared with much care and research. I deem it to be of great value and interest at the present time, when this subject is so prominent in the public mind. I believe there is one error in the paper toward the close, in which it is stated that it is understood that the reports provided for by the convention referred to "have been submitted to the respective Governments and await further action, in pursuance of the terms of the convention of 1892 and the supplemental convention of 1894." The report of the commission may have been presented to the Canadian Government, but I have to-day learned that it has not yet been presented to the Government of the United States, and, as I before stated, this report can only present data for the information of the respective Governments, upon which, when the entire examination shall be completed, the two nations may be duly advised, so as to enable them more intelligently to enter into a treaty. With the exception of this paragraph, I believe the representations set forth in the following report are mainly correct. I ask that the report which was made by a committee of the Chamber of Commerce of Seattle be appended and made part of my remarks.

The VICE-PRESIDENT. It will be so ordered, without objection.

The paper referred to is as follows:

ALASKAN BOUNDARY—SUPPLEMENTAL REPORT.

To the BOARD OF TRUSTEES,
Chamber of Commerce, Seattle, Wash.

GENTLEMEN: Since the report submitted to your honorable body under date of April 1, 1895, the committee has pursued its search for further information which would tend to assist the Government of the United States to firmly maintain the integrity of our Alaskan possessions. The boundary line of the United States of America and the Dominion of Canada dividing the Territory of Alaska from the Province of British Columbia and the Northwest Territory of Canada has, by reason of its extraordinary length, developed two subjects for investigation, which may be pursued and determined separately, while the permanent delimitation of the entire boundary involves the satisfactory settlement of each. The one comprehends the physical location of the one hundred and forty-first meridian as produced northwardly from Mount St. Elias to the frozen ocean.

The controversy over the above-mentioned part of the boundary has, by the separate efforts of the Governments of the United States and Canada, been brought more nearly to a determination than that over southeastern Alaska, and which, it appears to the committee, will be attended with more vexatious incidents. This report, therefore, is submitted in support of the eastern boundary of the strip which begins south of Mount St. Elias and runs southeasterly as far as Portland Channel, and which boundary it is emphatically contended has been conceded by Canada for more than sixty years, and certainly, as far as the investigation of the committee has extended, has never been questioned by that Government until comparatively a recent date.

It is necessary, for a clear understanding of the points at issue, to carefully peruse the description of the boundary line as expressly defined in Article I of the convention concluded March 30, 1867, between the United States of America and Russia. The line of demarcation as set forth therein is as follows:

"ARTICLE I.

"His Majesty the Emperor of all the Russias agrees to cede to the United States, by this convention, immediately upon the exchange of the ratifications thereof, all the territory and dominion now possessed by his said Majesty on the continent of America and in the adjacent islands, the same being contained within the geographical limits herein set forth, to wit: The eastern limit is the line of demarcation between the Russian and the British possessions in North America as established by the convention between Russia and Great Britain of February 28-16, 1825, and described in Articles III and IV of said convention in the following terms:

"Commencing from the southernmost point of the island called Prince of Wales Island, which point lies in the parallel of 54° 40' north latitude, and between the one hundred and thirty-first and the one hundred and thirty-third degree of west longitude (meridian of Greenwich), the said line shall ascend to the north along the channel called Portland Channel as far as the point of the continent where it strikes the fifty-sixth degree of north latitude; from this last-mentioned point the line of demarcation shall follow the summit of the mountains situated parallel to the coast as far as the point of intersection of the one hundred and forty-first degree of west longitude (of the same meridian), and finally, from the said point of intersection, the said meridian line of the one hundred and forty-first degree, in its prolongation as far as the frozen ocean.

"IV. With reference to the line of demarcation laid down in the preceding article, it is understood—

"First. That the island called Prince of Wales Island shall belong wholly to Russia, (now, by this cession, to the United States).

"Second. That whenever the summit of the mountains which extend in a direction parallel to the coast from the fifty-sixth degree of north latitude to the point of intersection of the one hundred and forty-first degree of west longitude shall prove to be at a distance of more than 10 marine leagues from the ocean, the limit between the British possessions and the line of coast which is to belong to Russia as above mentioned (that is to say, the limit to the possessions ceded by this convention) shall be formed by a line parallel to the winding of the coast, and which shall never exceed the distance of 10 marine leagues therefrom."—*United States Statutes at Large*, volume 15, pages 539-540.

The wording of the description of the boundary line, as above given, is identical with that contained in the convention between Russia and Great Britain of February 28-16, 1825, in Articles III and IV thereof, save the following words "(now, by this cession, to the United States)," which occurs in the first paragraph of Article IV above.

The diplomatic language used in the Russian-English convention of 1825 is here given, in order that the accuracy of the translation may be compared, and is as follows:

"ARTICLE III.

"La ligne de démarcation entre les Possessions des Hautes Parties contractantes sur la côte du continent et les îles de l'Amérique nord-ouest, sera tracée ainsi qu'il suit:

"A partir du point le plus méridional de l'île dite Prince of Wales, lequel point se trouve sous la parallèle du 54 degré 40 minutes de latitude nord, et entre le 131 et le 133 degré de longitude ouest (méridien de Greenwich). La dite ligne remontera au nord le long de la passe dite Portland Channel, jusqu'au point de la terre ferme où elle atteint le 56 degré latitude nord; de ce dernier point, la ligne de démarcation suivra la crête des montagnes situées parallèlement à la côte, jusqu'au point d'intersection du 141 degré de longitude ouest (même méridien); et, finalement, du dit point d'intersection la même ligne méridienne du 141 degré formera dans son prolongement jusqu'à la Mer Glaciale la limite entre les Possessions Russes et Britanniques sur le continent de l'Amérique nord-ouest."

"ARTICLE IV.

"Il est entendu, par rapport à la ligne de démarcation déterminée dans l'Article précédent:

"1. Que l'île dite Prince of Wales appartiendra toute entière à la Russie.

"2. Que partout où la crête des montagnes qui s'étendent dans une direction parallèle à la côte depuis le 56 degré de latitude nord au point d'intersection du 141 degré de longitude ouest, se trouverait à la distance de plus de 10 lieues marines de l'océan, la limite entre les Possessions Russes et Britanniques et

la lisière de côte mentionnée ci-dessus comme devant appartenir à la Russie, sera formée par une ligne parallèle aux sinuosités de la côte et qui ne pourra jamais en être éloignée que de 10 lieues marines."

The subject of the controversy between Russia and Great Britain which culminated in the convention of 1825, above referred to, was the celebrated ukase of September 4, 1821, issued by the Emperor Alexander, and which prohibited foreign vessels not only from landing upon the coasts and islands of the northwest belonging to Russia, but also the coast and islands of Siberia, or to approach them in less than 100 Italian miles. It was intended to protect all commerce, whaling, and fishery at such places from foreign competition, as an exclusive franchise, in all such industries at such places, was thereby granted to Russian subjects.

Mention is here made of this ukase because of the diplomatic correspondence which ensued and was carried on for several years between the British and Russian Governments, in which the settlement of this identical boundary line was the most prominent subject of the controversy.

Throughout this most interesting correspondence the intent of the high contracting parties is clearly and unmistakably laid bare as to the physical location of the eastern boundary of the Alaskan strip, and when read together with the description set forth above, annihilates the pretensions of Canada to any of the canals, bays, or inlets to which claims are now being set up.

The alleged claims of the Dominion of Canada to portions of the Alaskan strip arises, first, from the strained construction given to the description of the boundary line as hereinabove set forth; and, second, from a real or pretended belief in the existence of a fact which is emphatically controverted by the engineers of the United States.

CANADIAN CLAIMS.

The Parliamentary papers and the leading journals of the Dominion of Canada, and particularly of the Province of British Columbia, vigorously contend, in support of the construction referred to, that—

First. That "Behm Canal," and not "Portland Canal," is the channel intended through which the boundary line commencing at the southernmost portion of Prince of Wales Island "shall ascend to the north," * * * as far as the point of the continent where it strikes the fifty-sixth degree of north latitude."

Second. That the eastern boundary line, in its extension from the point where it strikes the fifty-sixth degree of north latitude, shall follow an alleged range of mountains, arbitrarily crossing and cutting off the heads of bays and inlets the ownership of which by the United States has hitherto been unquestioned.

Third. That the said eastern boundary line is not a line following the sinuities of the coast, and giving to the terms "windings of the coast" an interpretation which concedes to British Columbia not only parts of the inland waters, but a large area of the most valuable portions of the coast-line strip known as southeastern Alaska.

Fourth. That neither Portland nor Behm Canal was named when the British-Russian convention of 1825 was acted upon.

That these, among other points inimical to the proprietorship of the United States, are vigorously contended for by the press of Canada and are supported by semiofficial utterances may be safely inferred from the following facts:

Twenty of the mounted police of the Dominion of Canada passed through the city of Seattle last July to enforce customs regulations of that Government in Alaska.

Mr. William Ogilvie, the well-known Canadian surveyor, and who had charge, in part, of the corps of engineers engaged in the "joint or coincident survey," hereinafter spoken of, is quoted as to the boundary line through "Portland Canal" as follows: "This, by the way, * * * is objected to by the Province of British Columbia, and with reason, for in strict conformity with the wording of the article of the treaty a northerly line from the southernmost point of Prince of Wales Island would never reach Portland Canal at all, but would go up the channel known as Behm Canal."

Provincial Premier Turner (Province of British Columbia), in a recently published interview, says: "From what I learned during my stay in England, it is plain to me that if something is not done immediately this country [Canada] runs a great risk of losing forever a great and valuable block of territory that was stipulated as being part of British America at the time of the enactment of the British-Russian treaty of 1825. The Americans have quietly issued maps in which this territory, in reality belonging to Canada as much as historic Quebec, is represented as forming part of Alaska, and, sorry to say, some of our own map makers have fallen into the snare, and, taking it for granted that the American claim is a valid one, have 'corrected' Canadian maps accordingly."

The very latest official map of the Province of British Columbia, issued under governmental authority and purporting to be compiled under direction of Hon. G. B. Martin, chief commissioner of lands and works at Victoria, British Columbia, shows the boundary line as proceeding up through Behm Canal, and, further, places in British Columbia the heads of the most valuable bays and inlets and an area of valuable territory heretofore regarded as and tacitly conceded by Canada to be the possessions of the United States, a part of which has been the subject of recent special legislation by our Federal Government.

The committee has earnestly and diligently endeavored to ascertain upon what sound reasoning these pretensions are founded and in what manner the Dominion of Canada can logically establish its claim to this rich territory, as said claim is manifested by official maps and the foregoing assertions.

An exhaustive examination of the evidence that is material or relevant, which the committee has been able to obtain, leads to the conclusion that these claims, with the exception hereinafter mentioned, are founded on neither fact nor reason, and that the controversy, when once clearly understood, will be in a great measure stripped of its perplexities. The exception referred to is whether or not there exists a range of mountains "which extend in a direction parallel to the coast, from the fifty-sixth degree of north latitude to the point of intersection of the one hundred and forty-first degree of west longitude," within the 10 marine league limit.

To set forth in extenso the evidence which in the judgment of the committee would establish the conclusion that the Canadian claims are untenable would demand a report of too great length, and a reference to the same will be sufficient to invite the confidence of the Chamber in its reliability.

First. In the first place, the charts and maps of both Governments, for near a quarter of a century, show the boundary line is drawn thereon to follow the sinuosities of the coast, equidistant therefrom, beginning at the head of Portland Canal and reaching to Mount St. Elias; and that this line, so drawn, has been recognized by the civilized world from 1825 to about 1884, and has been so recognized by British Columbia on the official maps of that Government as late as the date last mentioned.

Second. That this line was so recognized at the time Alaska was purchased by the United States from Russia in 1867, and United States troops were soon thereafter stationed at Fort Tongass, at the mouth of Portland Canal, and United States customs officials maintained at said point as late as 1880, meeting with no protest from the Canadian Government or other powers of the world.

Third. That Behm Canal and Portland Canal were both well known at the time of the convention of 1825 between Great Britain and Russia, and that Portland Canal was so named by that eminent British navigator, Capt. George Vancouver, in 1783, and was one of the subjects of diplomatic correspondence between England and Russia for several years immediately preceding the convention of 1825.

Fourth. That for many years prior to the purchase of Alaska by the United States, that powerful English commercial institution, the Hudson Bay Fur Company, paid the Russian Government an annual stipend for the privilege of trading in the very inlets that the Dominion of Canada now claims; that the compact between that company and the first-named Government it is believed can be found among the Russian archives.

Fifth. That if written evidence of such a compact can not be found, there are now living witnesses who can testify that the Hudson Bay Company paid the annual compensation referred to as late as the year 1857, as the following letters from the Rev. William Duncan and the Indian secretary of the Metlakatla Indians will show:

ON BOARD CITY OF TOPEKA, ALASKAN WATERS, May 3, 1896.

Before leaving home for a trip to Sitka I received a letter from Mr. Miner Bruce, the explorer, asking me to write you any particulars I might happen to know regarding the question of the boundary between Alaska and British Columbia. Most likely the little information I have on the subject is already known to you, but it can do no harm to write what I know.

First. In 1857 I was located at Fort Simpson, and was in constant daily intercourse with the officers of the Hudson Bay Company, who had a monopoly of the country at that time. From this intercourse I learned that all the country north of Portland Canal belonged to Russia, and for the privilege of trading with the Indians from that point, and as far as Chilkat, the Hudson Bay Company paid a rent to the Russian Government of 1,000 otter skins each year. It is not at all likely that a company of such proportions as the Hudson Bay Company would consent to pay rent for territory of which there was uncertainty as to ownership. That company would most assuredly be well acquainted with the maps which assigned the territory to Russia, or it would have never made the agreement with Russia which it did. Nor did those of-

ficers during all the years I was in daily intercourse with them ever hint at a doubt as to the boundary from which Russian claims started.

Second. I have known lawbreakers to escape to Tongass from justice, being, while there, out of the jurisdiction of British Columbia.

Third. When the United States purchased Alaska, a corps of soldiers was stationed at Tongass and continued there for years in undisputed control.

Fourth. On my migrating with over 800 Indians from British Columbia in 1887, we had to call at Fort Tongass and give an account of our belongings. I paid the customs officers over \$1,000 to bring my goods into Alaska. The customs authorities resided at Tongass, just over the inlet called Portland Canal.

Yours, truly,

J. B. METCALFE, Esq., *Seattle, Wash.*

WM. DUNCAN.

—
METLAKAHTLA, ALASKA, May 31, 1895.

DEAR SIR: Since the report reached us of the controversy which is going on between Canada and the United States concerning the boundary line between British Columbia and Alaska, we have met to discuss the matter.

The information which we have to offer on the subject is:

First. When we left our old home in British Columbia we were regarded as foreigners by the Canadian authorities.

Second. In the summer of 1887, when we migrated to Alaska, Fort Tongass, just over Portland Inlet, was a port of entry. We had to pay duty to a custom-house officer residing there on all dutiable articles we brought over to this country.

Third. We employed three small steamers to convey over our belongings, one of which the custom-house officer at Port Simpson tried to detain as coming from a foreign country. We had to receive our clearance papers at Port Simpson before coming over to Alaska.

Fourth. Having got over to Annette Island, the Canadian Indian agent at Metlakahla, British Columbia, ceased to have any control over us, which would not have been the case (such was the animus of the man) if the boundary line had been doubtful.

We remain, truly yours,

THE PEOPLE OF METLAKAHTLA, ALASKA,
D. LEASK, *Secretary.*

J. B. METCALFE, Esq., *Seattle, Wash.*

Sixth. That the Rev. Mr. Duncan, having become engaged in a controversy with his religious superiors sent out to overlook his charge of the Metlakahla Indians, appealed to the Congress of the United States for a haven for himself and his 800 Indians away from their control or molestation, and that by an act of Congress approved March 3, 1891 (chapter 561, section 15, United States Statutes at Large, volume 26, page 1101), Annette Island was set aside for his use. The new Metlakahla is now a thriving community, with churches and schools, and self-sustaining industries carried on by these Indians, and that Canada had not at that time announced the present claim or any claim to this island.

Seventh. That it can be shown that the process of the British Columbia courts were never attempted to be served on the north side of Portland Canal on offenders against British Columbia laws.

Eighth. That it is conceded by the press, and also officials of British Columbia, that some one has blundered and that the official maps of that province, recognized by Canada, have to be "corrected," and say that "the Dominion officials have followed, sheep like, in the track of the United States diplomats. Luckily, their stupidity in lazily copying the blunder of the public servants of the United States did not legalize what is manifestly an error. It is not too late to correct the mistake that has been made." The utterance of Premier Turner is to the same effect, "The Canadians will have to repudiate some of their own maps."

The foregoing references are made to show that the facts therein set forth reasonably constitute a tacit admission by Canada of the proprietorship of the United States in the now contested territory, since during all the time mentioned the open and well-known possession thereof and the exercise of governmental control over the same by the United States has never been, until recently, assailed nor questioned.

CONSTRUCTION OF THE CONVENTION OF 1825.

The committee has heretofore alluded to what appears to be an illogical construction given to the terms of Article III and IV of the convention of 1825, which are identical with those of Article I of the convention of 1867, wherein the description of the boundary line is recited. A careful perusal of

the description fixes the initial point at Cape Chacon, at the southernmost point of Prince of Wales Island. The first call of the description then reads, "The said line shall ascend to the north along the channel called Portland Channel, as far as the point of the continent where it strikes the fifty-sixth degree of north latitude."

The southernmost point of Prince of Wales Island is on the line of 54° 40' north latitude, and the entrance of Portland Canal is due east from said point about 50 or 60 miles. The Canadian contention is that Behm Canal is meant, because you can only "ascend to the north" from the initial point through that channel. Literally this is true, but the construction disregards the object to which the line is carried by the words "shall ascend to the north along the channel called Portland Channel." The familiar doctrine that courses and distances will be controlled by monuments does not seem to have been taken into consideration.

Again, it is contended that Portland Canal is not intended, because Portland Canal does not "strike the fifty-sixth degree of north latitude," and that Behm Canal does, and was therefore intended. This interpretation is also unwarranted by the language used, for the plain reading shows that the line is the subject, and not the canal. In other words, the line "shall ascend to the north," etc., as far as the point of the continent where it, the line, strikes the fifty-sixth degree of north latitude.

The boundary line from this point northwesterly to Mount St. Elias, as shown by the official map of British Columbia, is arbitrarily drawn, and seems not only to hold in contempt the language of the description in Article IV, before mentioned, but takes no note of the physical facts. The language, it appears to the committee, can sustain no other interpretation than that "whenever the summit of the mountains which extend in a direction parallel to the coast * * * shall prove to be at a distance of more than 10 marine leagues from the ocean, * * * the limit * * * shall be formed by a line parallel to the windings of the coast, and which shall never exceed the distance of 10 marine leagues therefrom." How this line, which must follow the summit of the mountains which extend in a direction parallel to the coast, and where no mountains exist within the prescribed 10 marine leagues, must be parallel with the "windings of the coast," can, with uncontrolled license, sever the heads of the great bays and inlets, spring from shore to shore, and leap across the great arms of these inland waters, the committee has not yet been able to grasp.

To the words "ten marine leagues from the ocean" is also given the construction that this distance should be measured from the outlying islands. This can not be sustained, because the point where the line strikes the fifty-sixth degree of north latitude at the head of Portland Canal is about the prescribed distance, and it then follows the windings of the coast of the continent and not that of the islands.

The committee is persuaded that this entire interpretation can be safely overthrown and the contention of the United States established before any impartial tribunal. An examination of the diplomatic correspondence carried on between the distinguished representatives of the Russian and British Governments conclusively establishes the intention of both the high contracting parties as to this very line. This correspondence was carried on from the cities of St. Petersburg and London for the space of several years, and culminated in the convention of 1825. At the beginning of these communications the Russian chancellor directs the Russian ambassador at London as follows:

"In order not to cut the island of Prince of Wales, which, according to that arrangement, should rest with Russia, we would propose to take the southern frontier of our domain to 54° 40' of latitude, and to make it abut on the continent at the Portland Canal, of which the embouchure into the ocean is off the island of Prince of Wales, and its origin is in the continent between the fifty-fifth and fifty-sixth degrees of latitude."

This proposition is practically maintained throughout the many negotiations which occurred, and is fairly admitted by the British plenipotentiary in his final communication to his Government at the time of the execution of said convention.

As to the disagreement upon the facts: If the reports in the press of British Columbia be true, it is strenuously contended that there exists a range of mountains within the 10 marine leagues limit, and it is stated that the main efforts of the Canadian engineers are directed to the establishment of that range. In this connection, the committee called upon Mr. Phillip A. Walker, one of the corps of engineers which has been engaged on the part of the United States in surveying the disputed territory, and he informed us a few days since that the result of their labors established, without doubt, that no range of mountains exists.

The output from the resources of Alaska since its purchase by the United States runs into the millions far in excess of its purchase price, and its com-

merce with the States is now great, and increasing yearly. The Alaskan trade with the city of Seattle in the past year has reached nearly a million dollars, and with the present increase of trade will double within the next year.

The committee respectfully submits the above as some of the results of its labors, and believes that no efforts should be spared by this chamber to bring to the aid of our Government all evidence which will enable it to establish our rights over the disputed territory.

The convention of 1892 between the United States of America and the United Kingdom of Great Britain and Ireland provided for the appointment of commissioners by the high contracting parties "with a view to the ascertainment of the facts and data necessary to the permanent delimitation of the said boundary line," etc. To secure such facts and data a coincident or joint survey of the territory adjacent to the boundary line was agreed upon, and the commissioners were to make a joint report to each of the two Governments upon such facts as they were able to agree upon, and to jointly or severally report to each Government such points as they were unable to agree upon. As soon as the reports shall have been received, then the high contracting parties further agree that "they will proceed to consider and establish the boundary line in question."

The committee learns through the press dispatches that the reports provided for by the above convention have been submitted to the respective Governments, and await further action, in pursuance of the terms of the convention of 1892 and the supplemental convention of 1894.

Sincerely hoping that the efforts of the committee may aid a peaceful and satisfactory solution of the controversy, this report is herewith respectfully submitted.

J. B. METCALFE,
Chairman of Committee.

Mr. SQUIRE. I trust that early action may be taken upon the joint resolution. I do not deem it necessary that it should be referred to any committee for action, but if it is thought best it may be referred.

Several SENATORS. Let it be referred.

Mr. SQUIRE. Very well. I move that the joint resolution be referred to the Committee on Foreign Relations.

The motion was agreed to.

1898

